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indicates through its every page the close relation between the federal judicial tribunals and the solution of political, social and economic problems.

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BÜLOW, PRINCE BERNHARD VON. *Imperial Germany*. (Trans. by Marie A. Lewenz). Pp. 342. Price, \$3. New York: Dodd, Mead and Company, 1914.

In this book the ex-chancellor of the empire has given a notable interpretation from a strictly personal point of view of the recent political life of Germany. About one-third of the book is devoted to "foreign policy" and the remainder to "home policy." After a brief survey of the political progress which culminated in the empire, the author proceeds to analyze the various steps which led to Germany's taking a prominent part in international politics—the acquisition of colonies, the alliances and the building of the navy. He divulges the "secret" that only by the most energetic efforts was the government able to wrest from the people consent to accept the burdens involved in the frequent increases of army and navy. In an extended discussion of the relations between Germany and England, he points out that the conflict of interests is bound to be sharp, but never irreconcilable (he writes in 1913), provided Germany asserts herself firmly but keeps calm and cool and neither injures England nor runs after her. In the clear and frank discussion of other factors in the new foreign policy of Germany von Bülow shows that when he was the principal actor he understood to a high degree the realities of the situation. One is tempted to believe that had he continued in office until now the history of 1914 would have been quite different. The one unpleasant note is the ever recurring insistence of the duty of Germany to assert herself whenever her honor is threatened, even from a long distance. This nervous touchiness looks very much like a reflection of the apprehensiveness of a new country that is still uncertain of itself and is oversensitive about its own manners as well as about those of its neighbors.

The conservative bias of the author dominates the discussion of the home policy. Like all German conservatives he believes that the German people are fundamentally incompetent in political affairs and must be governed by authority. In support of this thesis he presents an interesting analysis of the German character, its love of doctrinaire theory, its particularistic tendencies, and its excessive interest in criticizing and fault-finding. Party spirit and party loyalty outweigh even love of country and make the Reichstag a very disagreeable body to do business with. An American wonders that he can complain of this spirit of criticism in view of the fact that in the German system the Reichstag is forbidden to do anything but criticize. As the cardinal principle of von Bülow's political doctrine is that Germany must be governed by authority, it follows that the present one-sided distribution of power between the Bundesrat and the people must not be changed, and that therefore the fight for strong imperial armaments, for a really imperial finance system and against social democracy must be kept up until success is attained.

The book was written for Germans as part of a larger work by various authors. It is to some extent apologetic and polemical. But the treatment is broad and tolerant, as is to be expected of von Bülow, and the book is a distinctly important source for those who are trying to understand the Germany of today. The translation is on the whole excellent—an occasional Germanism has crept in but not often. The use of Lord Lieutenant as equivalent of Oberpräsident is, however, impossible.

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DAVIS, HORACE, A. *The Judicial Veto*. Pp. vi, 148. Price, \$1. Boston: Houghton, Mifflin Company, 1914.

The power of the courts to pass on the constitutionality of laws occupies a prominent place in present-day academic discussions. Mr. Davis' volume is a contribution to the already extensive literature on this subject. Two-thirds of the book are devoted to a review of the opinions concerning judicial power held by the makers of the federal constitution and the members of the contemporary ratifying conventions. These arguments have already appeared as an article in the *American Political Science Review*. In the main they go over the same ground covered by Professor Beard in his *The Supreme Court and the Constitution*. The author by use of substantially the same material arrives at the exactly opposite conclusion. There are weaknesses in his arguments but he succeeds in pointing out several important ones in the arguments of those who maintain that the constitution was intended to establish a system of judicial control.

Much more interesting and of greater practical value are the two short introductory chapters in which Mr. Davis essays a constructive program. Admitting that judicial control, whatever its origin, is now firmly established, the author seeks a scheme the effect of which would be "not to review judicial action or to amend the constitution, but prevent the courts from amending it." He finds that our present method of testing the constitutionality of a statute is faulty because it depends on private individuals to bring suit to test the validity of laws, and because a law declared void is held to have been without force from the beginning.

Such a condition produces a feeling of irresponsibility among law makers because "their work, if imperfect, is wholly undone." The courts are in a false position because they "decide on insufficient data and prejudiced argument." The public grows to hold law in light esteem, and concludes that every man may be his own judge as to whether a law is to be obeyed—at least until the court has passed upon it.

The remedy the author suggests involves changing our constitutions so that a law declared unconstitutional should be so only from the time of decision. Aggrieved parties are to be given recompense by the state for such damage as they may have suffered during the period when the act was in operation. Secondly he would have the trial of constitutionality conducted at the instance of the state rather than on the initiative of private individuals.